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Attorneys for Defendant and Counterclaim Plaintiff

Microsoft Corporation

**UNITED STATES DISTRICT COURT
DISTRICT OF OREGON**

GARY ODOM

Plaintiff and Counterclaim
Defendant,

vs.

MICROSOFT CORPORATION

Defendant and Counterclaim
Plaintiff.

Case No. 3:09-CV-230-MO

**MICROSOFT CORPORATION'S
UNOPPOSED MOTION FOR
EXTENSION OF TIME TO FILE ITS
REPLY IN SUPPORT OF MOTION FOR
SUMMARY JUDGMENT**

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Pursuant to Local Rule 7.1(a), Counsel for Defendant Microsoft Corporation (“Microsoft”) hereby certifies that it has conferred with Plaintiff Gary Odom (“Odom”) about this motion and that he has represented that he does not oppose it.

Microsoft respectfully moves the Court for an extension of time to file its reply in support of its motion for summary judgment (D.I. 143). On March 11, 2010, the Court entered a scheduling order requiring that Odom file his response to Microsoft’s motion for summary judgment on May 3, 2010 (D.I. 132). Odom emailed his responsive papers and exhibits to the Court and counsel for Microsoft on May 3, 2010. Microsoft’s reply in support of its motion for summary judgment was to be filed today – May 17, 2010 – and Microsoft was prepared to timely file its response to Odom’s papers.

Earlier today, however, the Court directed Odom to electronically file all his previously-filed moving papers and exhibits in opposition to Microsoft’s motion by Friday, May 21, 2010 (D.I. 152). From a telephone conversation with the Court’s clerk, we understand that it would be desirable if Microsoft were to file its responsive motion papers sometime after Odom’s Friday, May 21 filing. Microsoft therefore respectfully moves the Court to extend the time for Microsoft to file its reply to Tuesday, May 25, 2010.

Dated: May 17, 2010

DAVIS WRIGHT TREMAINE LLP

s/Robert D. Newell

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